

EXHIBIT 16

(EXHIBIT FILED UNDER SEAL)

Page 1

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3

4 IN RE: DA VINCI SURGICAL ROBOT) Lead Case No.:
5 ANTITRUST LITIGATION) 3:21-cv-03825-VC
6

7 -----)
8 THIS DOCUMENT RELATES TO:)
9 ALL ACTIONS)
10 -----)
11 SURGICAL INSTRUMENT SERVICE) Case No.
12 COMPANY, INC.,) 3:21-CV-03496-VC
13 -----)
14 Plaintiff,)
15 -----)
16 vs.)
17 -----)
18 INTUITIVE SURGICAL, INC.,)
19 -----)
20 Defendant.)
21 -----)
22

23 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
24 UNDER THE PROTECTIVE ORDER
25 VIRTUAL VIDEOCONFERENCE VIDEO-RECORDED
1 DEPOSITION OF DAN JONES
2

3 Thursday, November 10, 2022
4 Remotely Testifying from Alexandria, Virginia
5

6 Stenographically Reported By:
7 Hanna Kim, CLR, CSR No. 13083
8 Job No. 5564633
9

Page 21

1 [REDACTED]
2 [REDACTED] [REDACTED] [REDACTED]
3 [REDACTED]
4 [REDACTED] [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED] [REDACTED]
8 [REDACTED]
9 [REDACTED]

10 Q. Let's go back to the Agile Law platform.

11 You're going to see, Mr. Jones, a document
12 that we're going to mark as Plaintiffs' Exhibit 287.

13 (Jones Deposition Exhibit 287 was marked
14 electronically.)

15 BY MR. MAIDA:

16 Q. Do you see that?

17 A. Yes.

18 Q. And this document has what we call a Bates
19 stamp on the bottom right, and it says
20 Intuitive-00372993.

21 Do you see that?

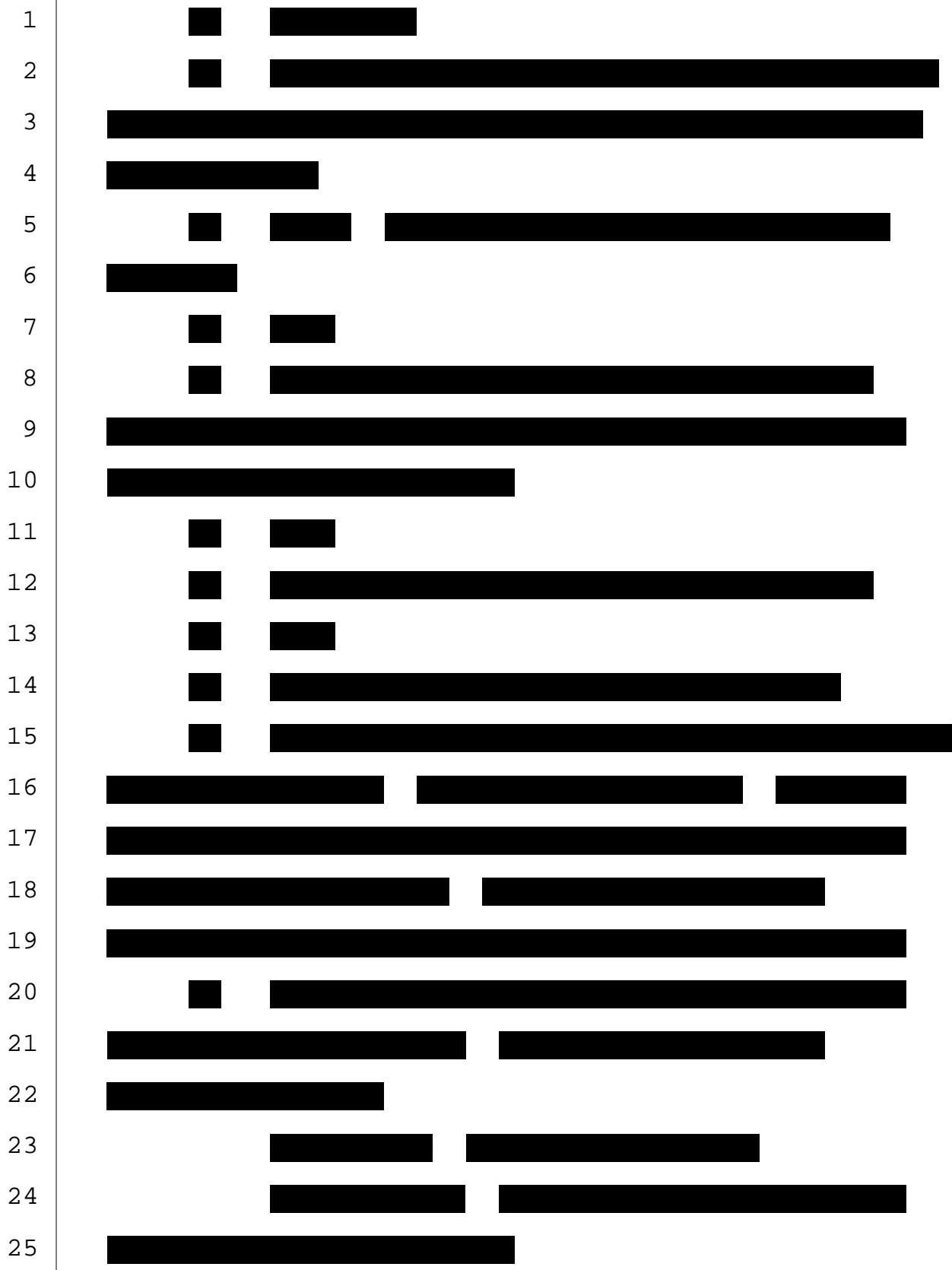
22 A. Yes.

23 [REDACTED] [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 22

1 [REDACTED] [REDACTED]
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3 [REDACTED] [REDACTED]
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8 [REDACTED]
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16 [REDACTED]
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18 [REDACTED]
19 [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED].
22 [REDACTED]
23 [REDACTED] [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 23



Page 24

1 [REDACTED]

2 [REDACTED] [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

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18 [REDACTED]

19 [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED]

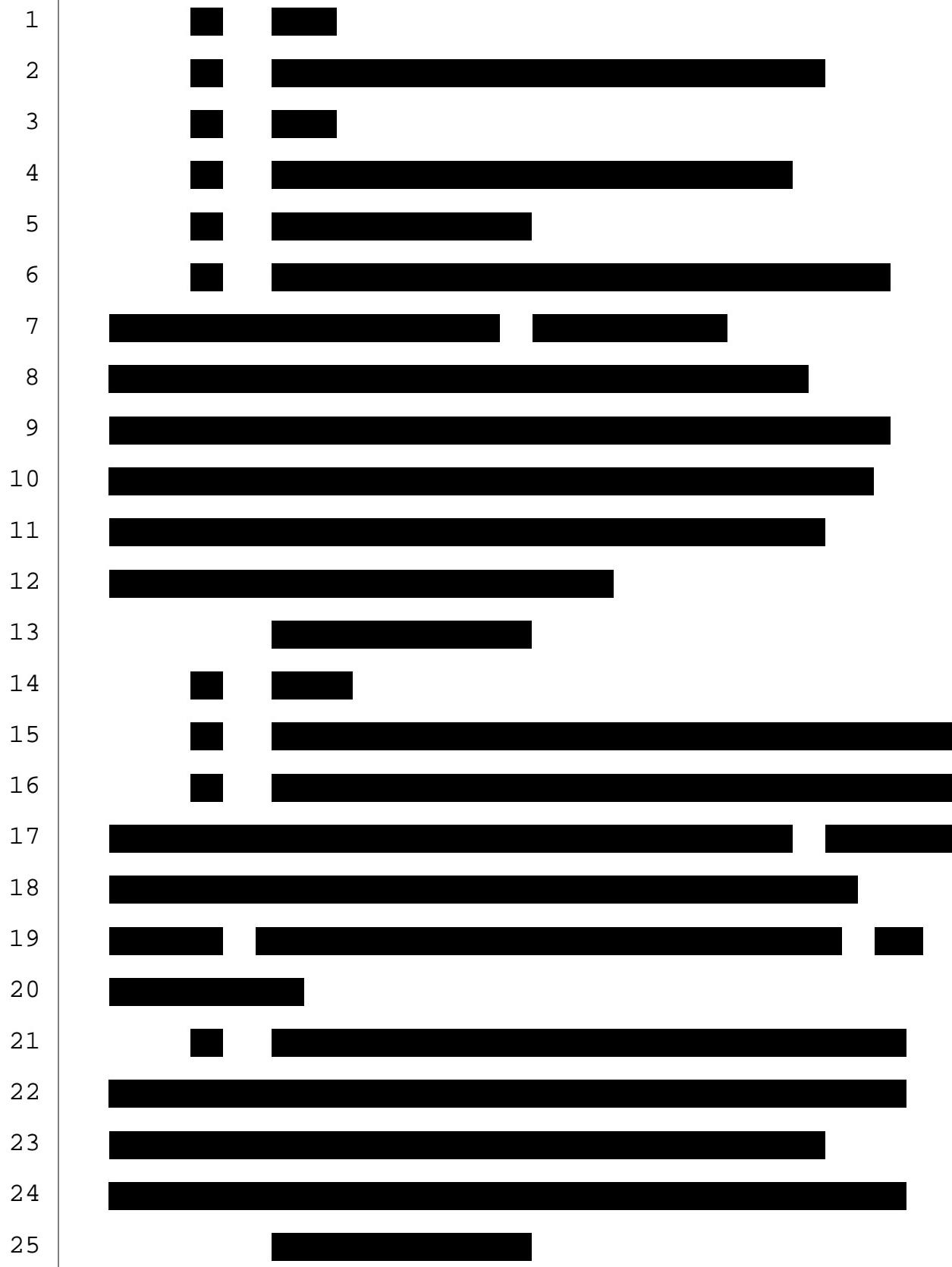
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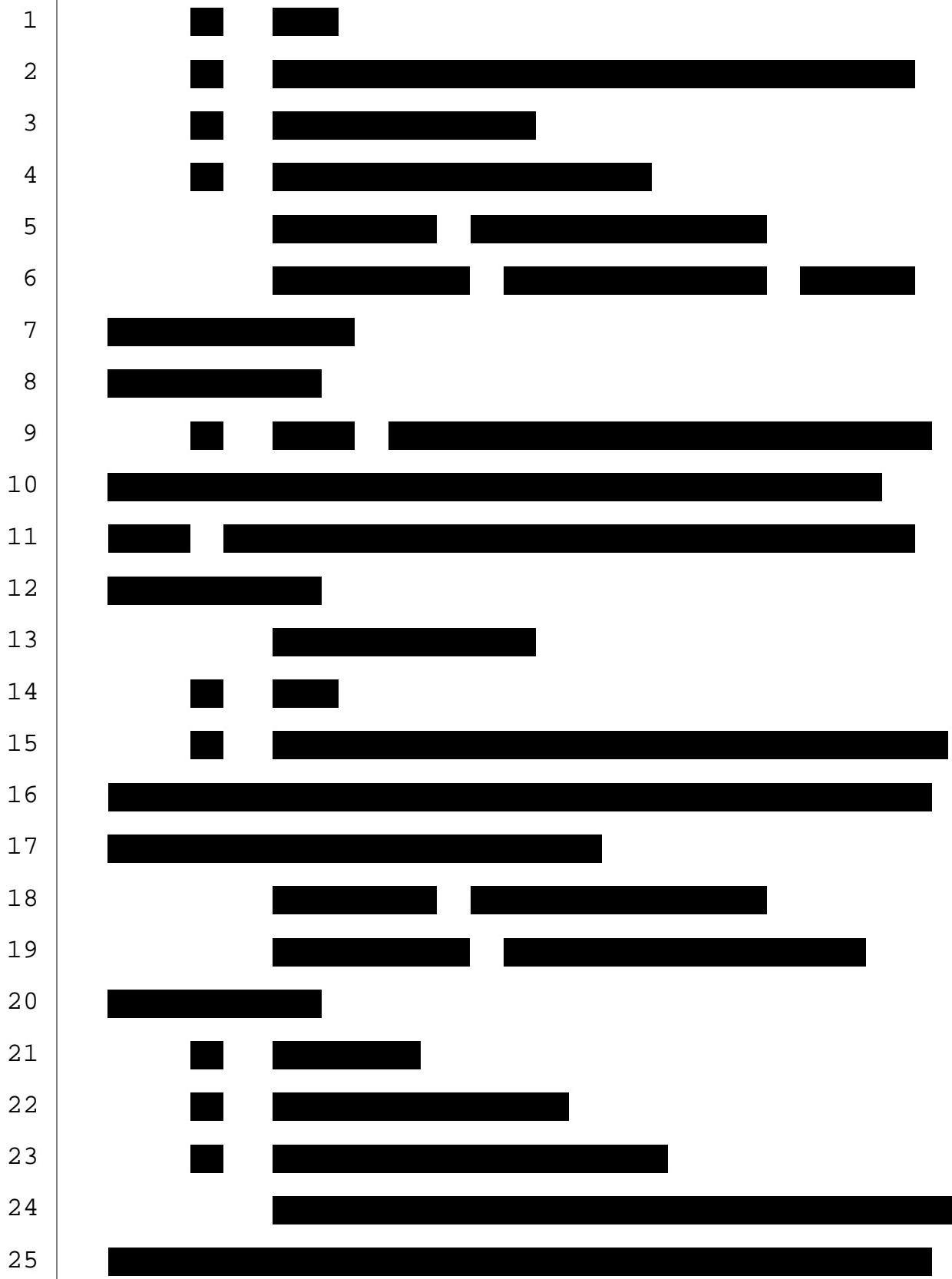
24 [REDACTED]

25 [REDACTED]

Page 25



Page 26



Page 35

1 [REDACTED]

2 [REDACTED] [REDACTED] [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED].

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED] [REDACTED] [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED] [REDACTED]

25 [REDACTED]

Page 36

1 [REDACTED]

2 [REDACTED] [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 THE WITNESS: Could you repeat the

7 question.

8 BY MR. MAIDA:

9 Q. Sure.

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED] [REDACTED]

20 [REDACTED]

21 [REDACTED] [REDACTED]

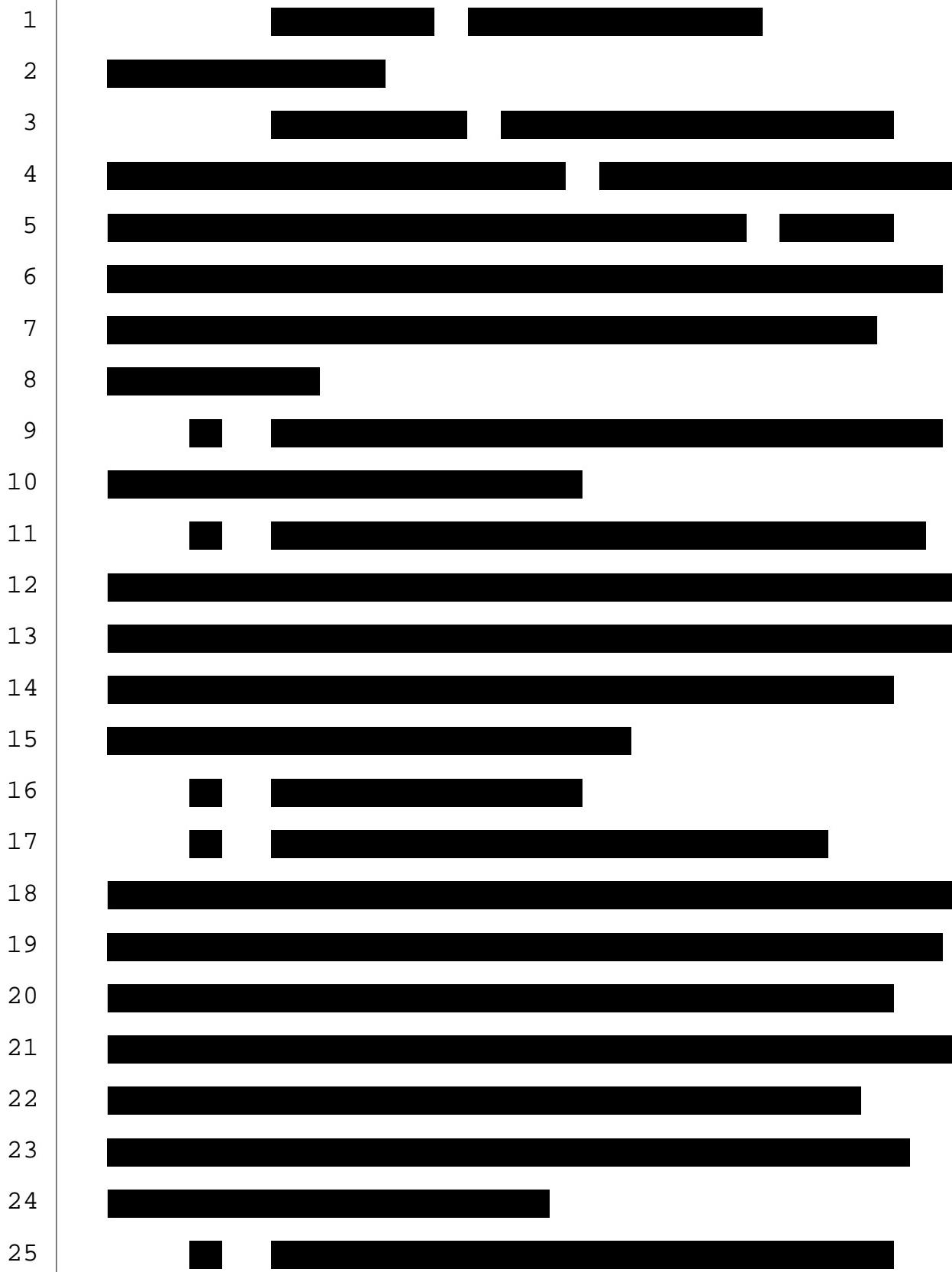
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23 [REDACTED]

24 [REDACTED] [REDACTED] [REDACTED]

25 [REDACTED]

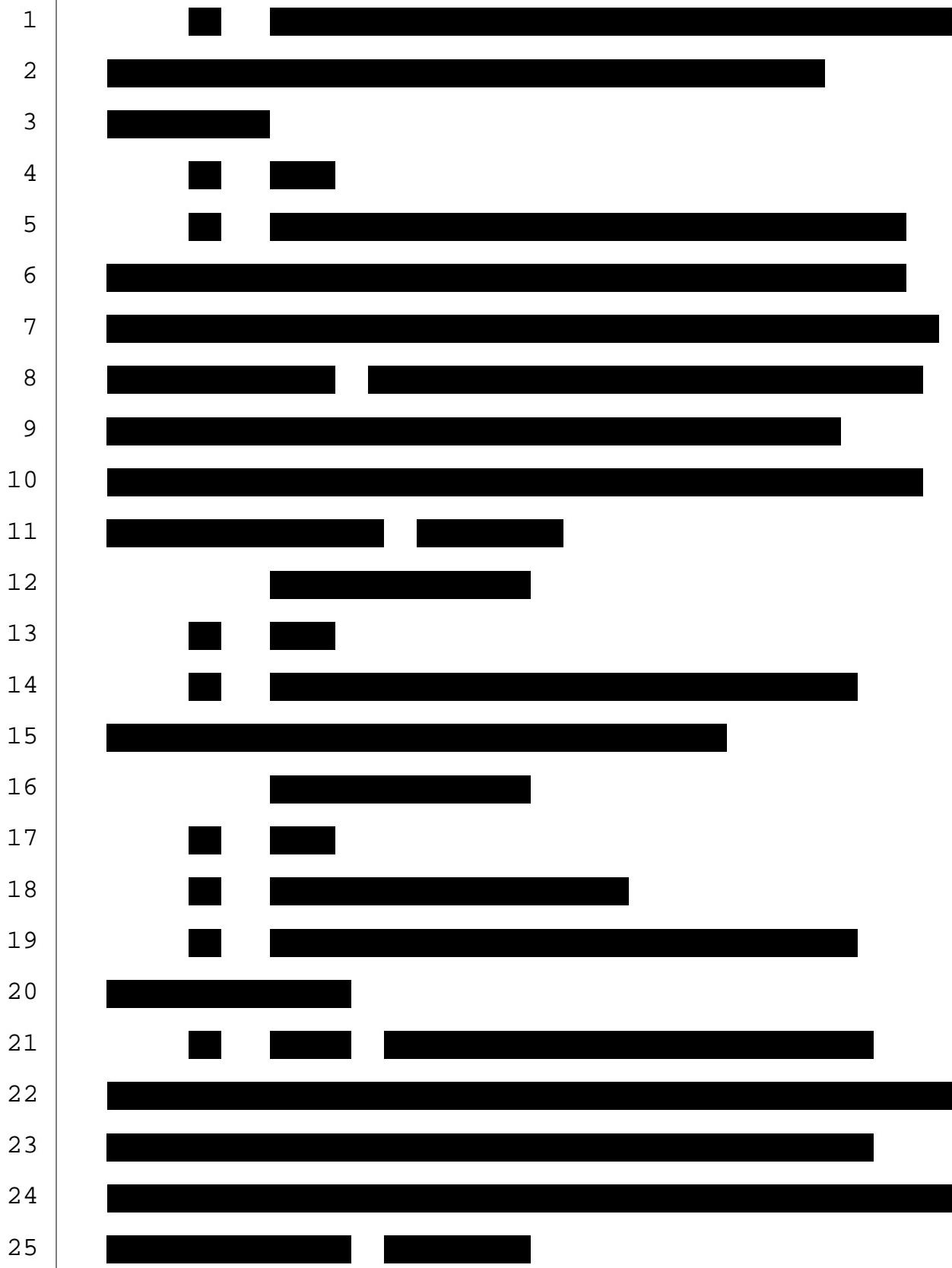
Page 37



Page 38

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17 [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED] [REDACTED],
22 [REDACTED] [REDACTED]
23 [REDACTED]
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25 [REDACTED]

Page 44



Page 45

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8 [REDACTED]
9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED] [REDACTED]
18 THE WITNESS: Could you repeat the
19 question.
20 BY MR. MAIDA:
21 Q. Sure.
22 [REDACTED]
23 [REDACTED]
24 [REDACTED] [REDACTED]
25 [REDACTED] [REDACTED]

Page 46

1 [REDACTED] [REDACTED] [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED] [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED] [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED] [REDACTED] [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 Q. We can set this document aside, Mr. Jones.
16 [REDACTED] [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED] [REDACTED]
22 [REDACTED] [REDACTED]
23 [REDACTED].
24 [REDACTED] [REDACTED]
25 [REDACTED]

Page 72

1 [REDACTED] [REDACTED]
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3 [REDACTED]
4 [REDACTED] [REDACTED]
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6 [REDACTED]
7 [REDACTED] [REDACTED]
8 [REDACTED] [REDACTED]
9 [REDACTED]
10 [REDACTED] [REDACTED]
11 [REDACTED]
12 [REDACTED] [REDACTED]
13 [REDACTED] [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED] [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED]
20 [REDACTED]
21 [REDACTED] [REDACTED] [REDACTED]
22 [REDACTED]
23 [REDACTED] [REDACTED] [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 73

1 [REDACTED]

2 [REDACTED] [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED] [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED] [REDACTED],

17 [REDACTED] [REDACTED] at

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED] [REDACTED].

25 [REDACTED] [REDACTED]

Page 74

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED] [REDACTED] [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED] [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED] [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 Q. So I'm going to bring up as tab 67. Take
4 a look at this, and let me know when you're ready to
5 discuss what's been labeled as Exhibit 293 as
6 Intuitive-00049154.

7 (Jones Deposition Exhibit 293 was marked
8 electronically.)

9 A. (Witness reviews document).

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 Q. Yeah, and just -- and just for the record,
15 real quick, I don't think I mentioned it, but the
16 previous Exhibit 292 was Bates Number 0212226
17 [verbatim].

18 [REDACTED]

19 [REDACTED]

20 [REDACTED] ,

21 [REDACTED]

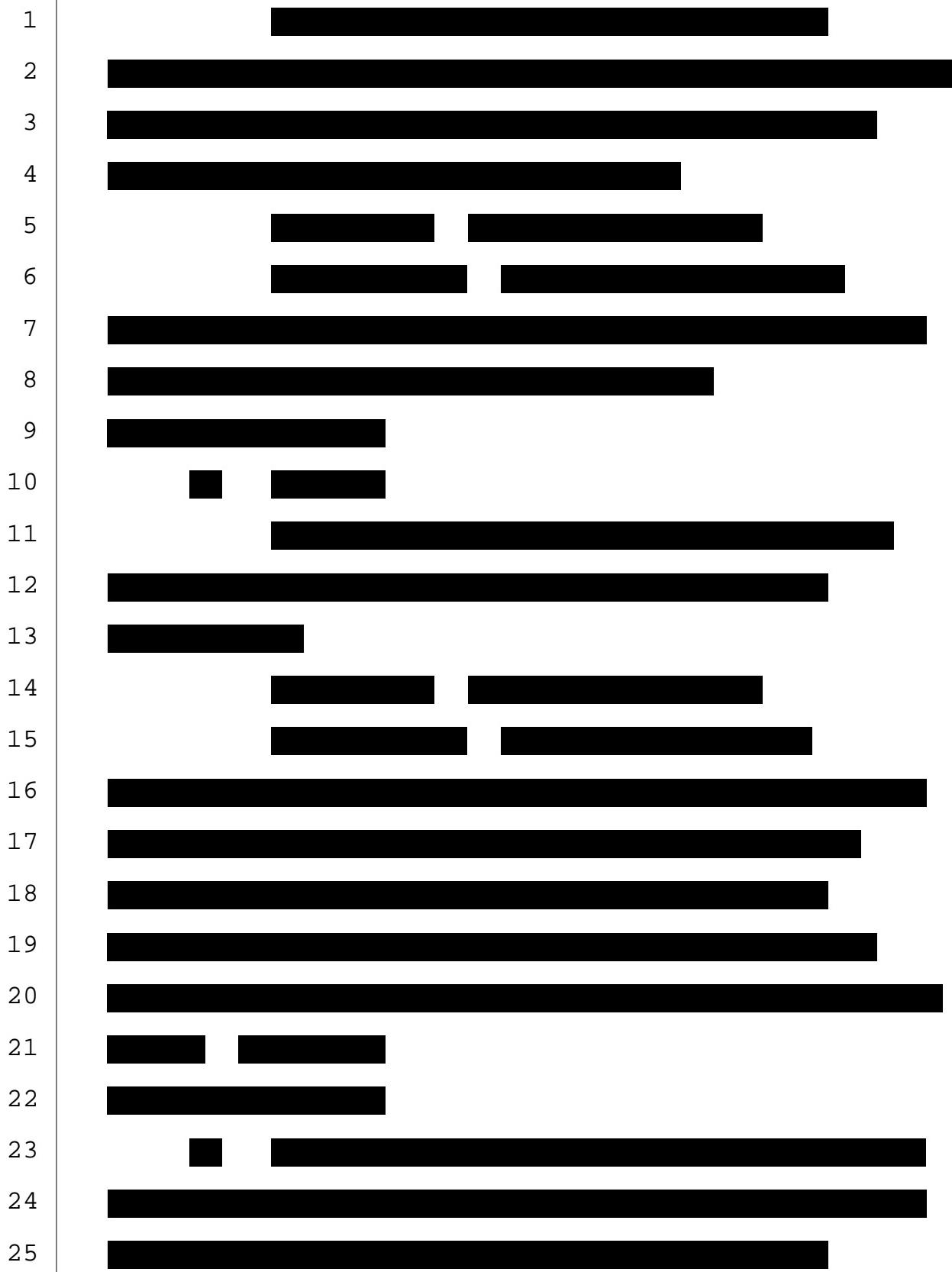
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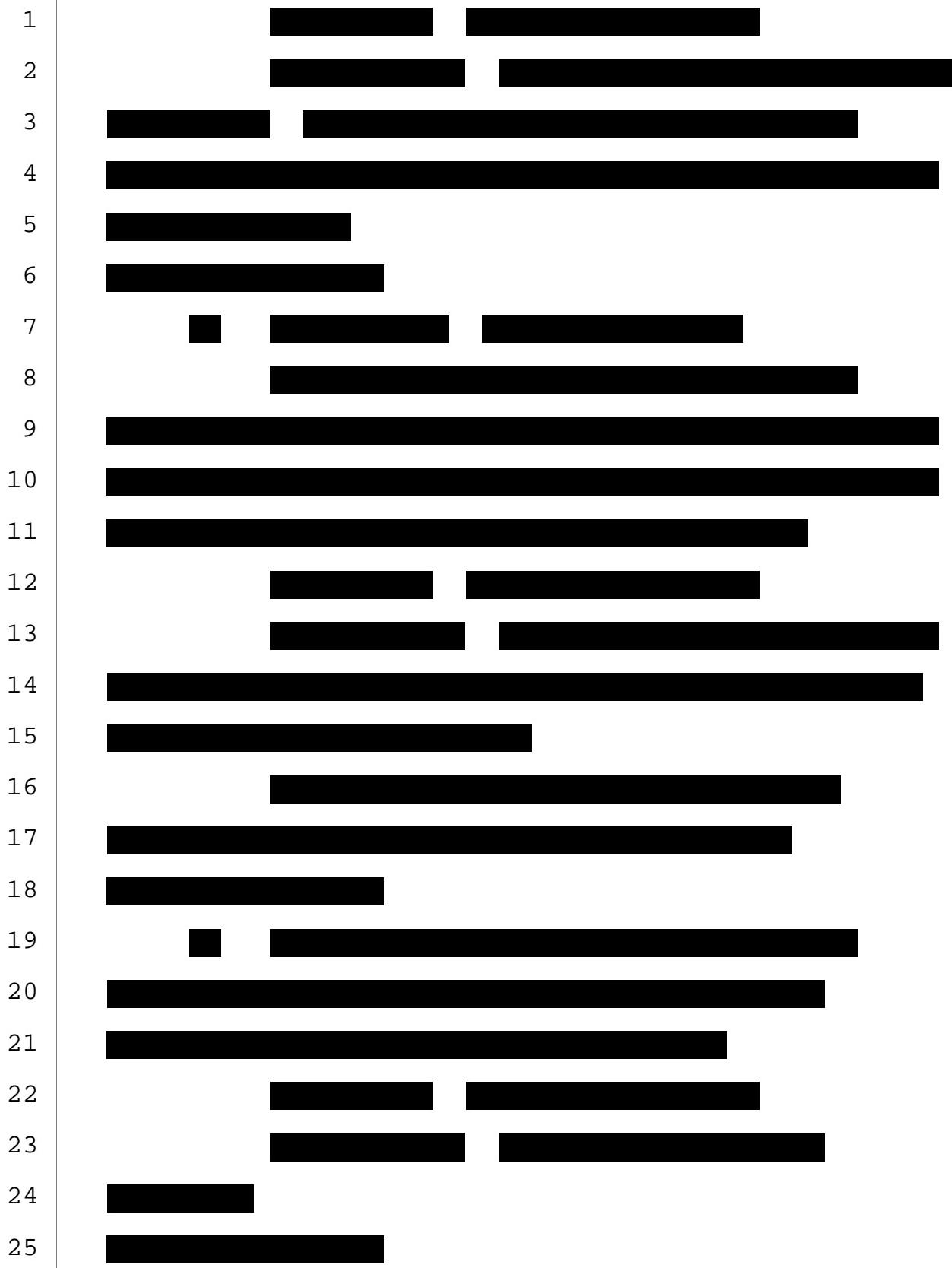
24 [REDACTED]

25 [REDACTED]

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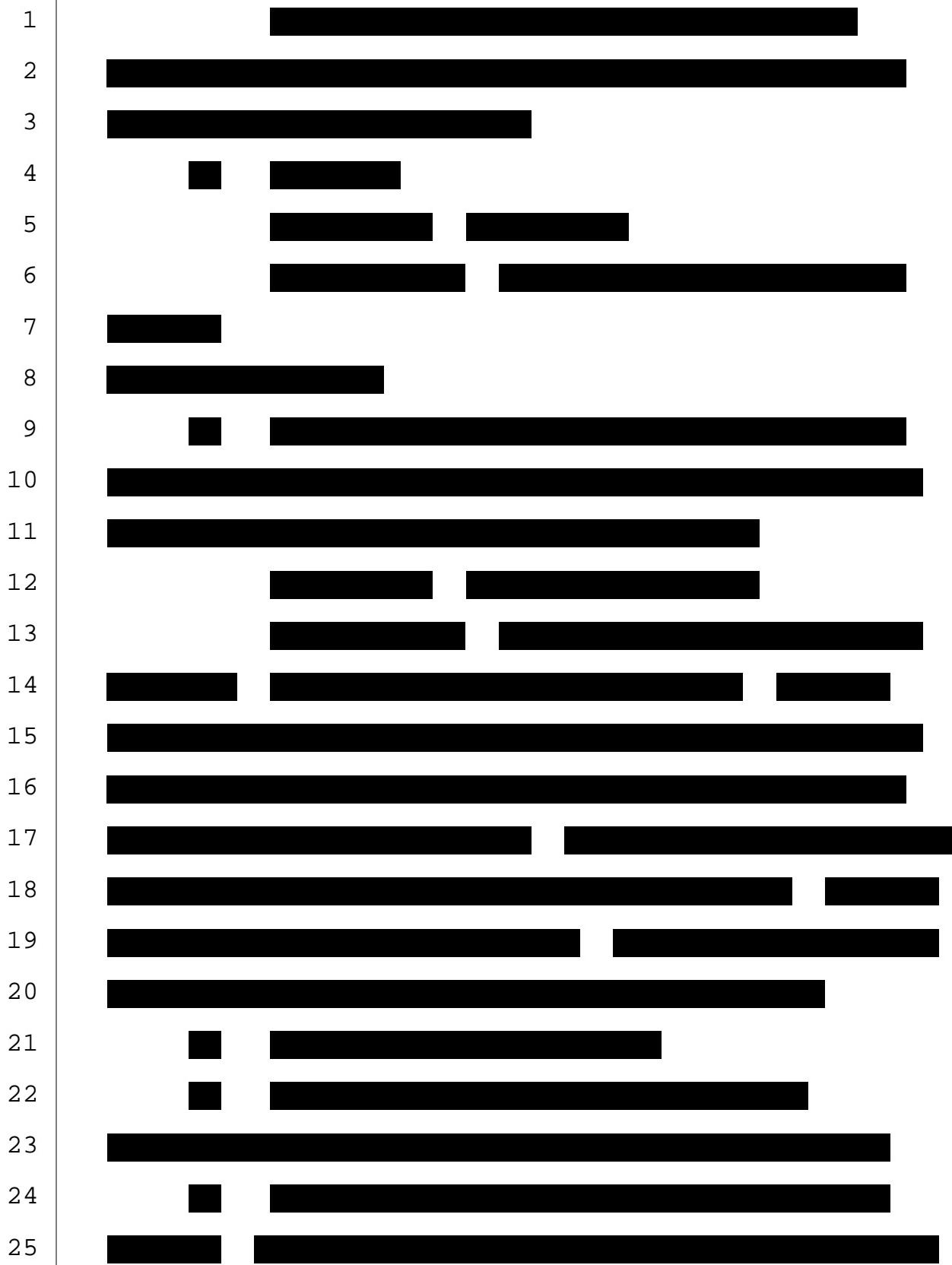
Page 81



Page 82

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6 [REDACTED] [REDACTED]
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8 [REDACTED]
9 [REDACTED]
10 [REDACTED] [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED] [REDACTED]
19 [REDACTED]
20 (Interruption in audio/video.)
21 THE COURT REPORTER: I'm sorry, one
22 second. I can't hear both of you.
23 THE WITNESS: Go ahead, Josh.
24 BY MR. VAN HOVEN:
25 Q. Sure.

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1 CERTIFICATE OF REPORTER

2 I, Hanna Kim, a Certified Shorthand
3 Reporter, do hereby certify:

4 That prior to being examined, the witness
5 in the foregoing proceedings was by me duly sworn to
6 testify to the truth, the whole truth, and nothing
7 but the truth;

8 That said proceedings were taken before me
9 at the time and place therein set forth remotely via
10 videoconference and were taken down by me in
11 shorthand and thereafter transcribed into
12 typewriting under my direction and supervision;

13 I further certify that I am neither
14 counsel for, nor related to, any party to said
15 proceedings, not in anywise interested in the
16 outcome thereof.

17 Further, that if the foregoing pertains to
18 the original transcript of a deposition in a federal
19 case, before completion of the proceedings, review
20 of the transcript [x] was [] was not requested.

21 In witness whereof, I have hereunto
22 subscribed my name.

23 Dated: November 18, 2022



24 _____
25 Hanna Kim

CLR, CSR No. 13083